

MICHAEL C. MILLS, ESQ.
Nevada Bar No. 003534
BAUMAN LOEWE WITT & MAXWELL
3650 N. Rancho Dr., Ste. 114
Las Vegas, NV 89130
Phone: 702-240-6060
Fax: 702-240-4267
Email: mmills@blwmlawfirm.com

Attorneys for Defendant,
Bodega Latina Corporation, dba El Super

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ISABEL TORRES, individually

Case No.: 2:18-cv-00010-JCM-VCF

Plaintiff,

vs.

BODEGA LATINA CORPORATION, d/b/a
EL SUPER, a Foreign Corporation, DOES
1-20 and ROE BUSINESS ENTITIES 1-
20, inclusive,

Defendants.

**STIPULATION AND ORDER TO MODIFY THE DISCOVERY PLAN AND
SCHEDULING ORDER TO EXTEND THE REMAINING
DISCOVERY PLAN DEADLINES
(SIXTH REQUEST)**

Plaintiff Isabel Torres and Defendant Bodega Latina Corporation, by and through
their respective counsel, and pursuant to Local Rule 26-4, stipulate to modify their
discovery plan as follows:

1. Plaintiff filed her Complaint on October 18, 2017 in the Eighth Judicial
District Court, Case No. A-17-763267-C. Defendant filed their Answer and Jury
Demand on November 9, 2017. This case was removed to the United States District
Court on January 3, 2018.

2. The parties held their F.R.C.P. 26 conference on January 10, 2018 and
filed their Stipulated Discovery Plan and Scheduling Order on January 16, 2018. In this

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1 original plan, the parties agreed to the following dates:

2	Last Day to Amend Pleadings:	04/18/2018
3	Expert Disclosure Deadline:	05/18/2018
4	Interim Status Report Deadline:	05/18/2018
5	Rebuttal Expert Disclosure:	06/18/2018
6	Discovery Cut-Off:	07/17/2018
7	Dispositive Motions Deadline:	08/17/2018
8	Pre-Trial Order:	09/17/2018

9 The initial discovery plan was signed by United States Magistrate Cam
10 Ferenbach, January 17, 2018.

11 3. The Parties filed a Stipulation and Order to Extend Discovery Deadlines
12 [First Request] on April 19, 2018. In this plan, the parties agreed to the following dates:

13	Last Day to Amend Pleadings:	07/17/2018
14	Expert Disclosure Deadline:	08/16/2018
15	Interim Status Report Deadline:	08/18/2018
16	Rebuttal Expert Disclosure:	09/17/2018
17	Last Day to Amend DPSO:	09/28/2018
18	Discovery Cut-Off:	10/16/2018
19	Dispositive Motions Deadline:	11/15/2018
20	Pre-Trial Order:	10/15/2018

21 The Stipulation and Order to Extend Discovery and Deadlines [First Request]
22 was signed by United States Magistrate Judge Cam Ferenbach, April 20, 2018.

23 4. The Parties filed a Stipulation and Order to Extend Discovery Deadlines
24 [Second] on July 26, 2018. In this plan, the parties agreed to the following dates:

25	Last Day to Amend Pleadings:	07/17/2018 expired
26	Expert Disclosure Deadline:	11/14/2018
27	Interim Status Report Deadline:	11/14/2018
28	Rebuttal Expert Disclosure:	12/17/2018

1 Last Day to Amend DPSO: 12/27/2018

2 Discovery Cut-Off: 01/14/2019

3 Dispositive Motions Deadline: 02/13/2019

4 Pre-Trial Order: 03/18/2019

5 The Stipulation and Order to Extend Discovery and Deadlines [Second Request]
6 was signed by United States Magistrate Judge Cam Ferenbach, July 26, 2018.

7 5. The Parties filed a Stipulation and Order to Extend Discovery Deadlines
8 [Third] on November 7, 2018. In this plan, the parties agreed to the following dates:

9 Last Day to Amend Pleadings: 11/14/2018 (reopened)

10 Expert Disclosure Deadline: 12/14/2018

11 Interim Status Report Deadline: 12/14/2018

12 Rebuttal Expert Disclosure: 01/16/2019

13 Last Day to Amend DPSO: 01/28/2019

14 Discovery Cut-Off: 02/13/2019

15 Dispositive Motions Deadline: 03/15/2019

16 Pre-Trial Order: 04/17/2019

17 The Stipulation and Order to Extend Discovery and Deadlines [Third Request]
18 was signed by United States Magistrate Judge Cam Ferenbach, November 8, 2018.

19 6. The Parties filed a Stipulation and Order to Extend Discovery Deadlines
20 [Fourth] on January 7, 2019. In this plan, the parties agreed to the following dates:

21 Last Day to Amend Pleadings: 11/14/~~2018~~ (closed)

22 Expert Disclosure Deadline: 12/14/~~2018~~ (closed)

23 Interim Status Report Deadline: 12/14/2018 (submitted 12/12/18)

24 Rebuttal Expert Disclosure: 02/15/2019

25 Last Day to Amend DPSO: 02/27/2019

26 Discovery Cut-Off: 03/15/2019

27 Dispositive Motions Deadline: 04/15/2019

28 Pre-Trial Order: 05/17/2019

1 The Stipulation and Order to Extend Discovery and Deadlines [Fourth Request]
 2 was signed by United States Magistrate Judge Cam Ferenbach, January 7, 2019.

3 7. The Parties filed a Stipulation and Order to Extend Discovery Deadlines
 4 [Fifth] on February 22, 2019. In this plan, the parties agreed to the following dates:

5	Last Day to Amend Pleadings:	11/14//2018 (closed)
6	Expert Disclosure Deadline:	12/14//2018 (closed)
7	Interim Status Report Deadline:	12/14/2018 (submitted 12/12/18)
8	Rebuttal Expert Disclosure:	02/15/2019
9	Last Day to Amend DPSO:	03/29/2019
10	Discovery Cut-Off:	04/15/2019
11	Dispositive Motions Deadline:	05/15/2019
12	Pre-Trial Order:	06/17/2019

13 The Stipulation and Order to Extend Discovery and Deadlines [Fifth Request]
 14 was signed by United States Magistrate Judge Cam Ferenbach, February 22, 2019.

15 8. In compliance with Local Rule 26-4, the parties provide the following
 16 information regarding the discovery status:

17 **(a) Discovery Completed pursuant to Fed. R. Civ. P. 26(a):**

18 **Defendants:**

19	Initial Disclosure	01/10/2018
20	Interrogatories to Plaintiff	01/15/2018
21	Request for Production to Plaintiff	01/15/2018
22	First Supplemental Disclosure	02/28/2018
23	Second Supplemental Disclosure	04/05/2018
24	Third Supplemental Disclosure	04/17/2018
25	Fourth Supplemental Disclosure	05/14/2018
26	Fifth Supplemental Disclosure	06/25/2018
27	Sixth Supplemental Disclosure	06/25/2018
28	Plaintiff Isabel Torres' Deposition taken	07/24/2018

1	Independent Medical Examination	09/13/2018
2	Seventh Supplemental Disclosure	10/18/2018
3	Eighth Supplemental Disclosure	10/29/2018
4	Joint Interim Status Report	12/12/2018
5	Ninth Supplemental Disclosure	12/14/2018
6	Initial Designation of Expert Witnesses	12/14/2018
7	Second Request to Produce Documents	12/21/2019
8	Tenth Supplemental Disclosure	02/15/2019
9	Eleventh Supplemental Disclosure	02/22/2019
10	Twelfth Supplemental Disclosure	04/15/2019
11	Thirteenth Supplemental Disclosure	04/24/2019
12	<u>Plaintiffs:</u>	
13	Initial Disclosure	01/17/2018
14	First Supplemental Disclosure	01/26/2018
15	Second Supplemental Disclosure	01/29/2018
16	Plaintiff's Answers to Interrogatories	02/20/2018
17	Plaintiff's Responses to Request to Produce	02/20/2018
18	Third Supplemental Disclosure	02/07/2018
19	Request for Admissions to Defendant	04/02/2018
20	Interrogatories to Defendant	04/02/2018
21	Request for Production to Defendant	04/02/2018
22	Fourth Supplemental Disclosure	04/16/2018
23	Fifth Supplemental Disclosure	04/19/2018
24	Sixth Supplemental Disclosure	05/24/2018
25	Seventh Supplemental Disclosure	05/29/2018
26	Eighth Supplemental Disclosure	06/07/2018
27	Ninth Supplemental Disclosure	06/12/2018
28	Tenth Supplemental Disclosure	08/16/2018

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1	Eleventh Supplemental Disclosure	08/27/2018
2	Twelfth Supplemental Disclosure	08/27/2018
3	Thirteenth Supplemental Disclosure	10/08/2018
4	Joint Interim Status Report	12/12/2018
5	Fourteenth Supplemental Disclosure	12/14/2018
6	Initial Designation of Expert Witnesses	12/14/2018
7	Responses to Second Request to Produce	01/23/2019

8 **(b) Discovery that remains to be completed:**

9 There is no discovery left to be completed. The court decided Defendant's
10 Dispositive Motion on March 16, 2020. The operative Discovery Plan and
11 Scheduling Order required that the Joint Pre-Trial Memorandum be completed 30
12 days from that date, namely April 15, 2020.

13 **(c) Reasons why discovery was not completed:**

14 The parties believe that they will be able to better narrow the issues for
15 trial if they are able to meet and review each other's submissions and evidence
16 and make decisions. However, the parties have been unable to meet due to the
17 COVID-19 restrictions imposed by the Governor. The extension will allow the
18 parties to meet, discuss and provide more preparation as they submit their Joint
19 Pre-Trial Report.

20 **(d) Proposed Schedule:**

21 The parties propose a 30-day extension to file their Pre-Trial Report.

22 Those dates will be:

23	Last Day to Amend Pleadings:	11/14/2018—(closed)
24	Expert Disclosure Deadline:	12/14/2018—(closed)
25	Interim Status Report Deadline:	12/14/2018—(submitted 12/12/18)
26	Rebuttal Expert Disclosure:	02/15/2019—(closed)
27	Last Day to Amend DPSO:	03/29/2019—(closed)
28	Discovery Cut-Off:	04/15/2019—(closed)

Dispositive Motions Deadline: 05/15/2019 (closed)

Pre-Trial Order: 05/15/2020

(If dispositive motions are filed, the deadline for the filing of the joint pre-trial order will be suspended until 30 days after decision on the dispositive motions or further court order.)

CONCLUSION

For the foregoing reasons, the parties herein respectfully request this Honorable Court to Modify the Discovery Plan and Scheduling Order to allow the parties to submit their Joint Pre-Trial Report up to and including May 15, 2020.

Approved as to form and content:

Dated this 15th day of April 2020.

Dated this 15th day of April 2020.

RICHARD HARRIS LAW FIRM

BAUMAN LOEWE WITT & MAXWELL

/s/ Christian Z. Smith

/s/ Michael C. Mills

CHRISTIAN Z. SMITH, ESQ.
Nevada State Bar No. 008266
801 S. Fourth Street
Las Vegas, NV 89101
Phone: 702-444-4444
Fax: 702-444-4455
Attorneys for Plaintiff,
Isabel Torres

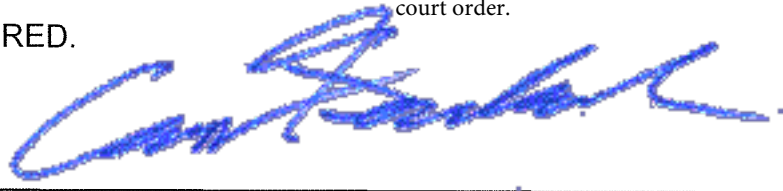
MICHAEL C. MILLS, ESQ.
Nevada Bar No. 003534
3650 N. Rancho Dr., Ste. 114
Las Vegas, NV 89130
Phone: 702-240-6060
Fax: 702-240-4267
Counsel for Defendant,
Bodega Latina Corporation

IT IS HEREBY ORDERED that the Joint Pretrial Order is due May 15, 2020.

ORDER

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

IT IS SO ORDERED.


UNITED STATES DISTRICT COURT JUDGE,
UNITED STATES MAGISTRATE JUDGE

DATED: April 15, 2020